

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re: Chapter 11

XL- CARE AGENCY, INC. Case No. 1-05-15960-dem

Debtor.

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DENNIS E. MILTON
United States Bankruptcy Judge

In its Order dated November 15, 2007, the Court provided that it would award counsel fees separately in a written opinion. At the time, it was the Court's intention to reduce the fee award to the law firm of Fox Rothschild, LLP by a significant amount due to the number of times when counsel was not ready to proceed, resulting in otherwise unnecessary adjournments, and the number of other delays occasioned when counsel produced someone other than the debtor's principal to testify in an area where only the principal had direct, first-hand knowledge. The Court now feels that the passage of time along with the impact of delayed receipt of an expected receivable in these economic times has delivered a message as effectively as a substantial reduction in the fee award. Accordingly, the Court shall grant the application of Fox Rothschild LLP for payment of professional fees in this matter in accord with the accompanying Order.

Dated: Brooklyn, New York
April 20, 2009

S/ DENNIS E. MILTON
DENNIS E. MILTON
United States Bankruptcy Judge